

**UTAH EARLY CHILDHOOD COMPREHENSIVE SYSTEMS STATE TEAM AND
STATE ADVISORY COUNCIL ON EARLY CARE & EDUCATION BYLAWS**

ARTICLE I NAME

The name of the combined Utah Early Childhood Comprehensive System State Team (ECCS) and Utah State Advisory Council on Early Care and Education (SAC) shall be the Early Childhood Utah Advisory Council established in the 2019 General Legislative Session, HB0047.

ARTICLE II PURPOSE and ROLE

In September 2011, Governor Herbert designated the existing Early Childhood Comprehensive Systems State Team, located in the Utah Department of Health and Human Services, Bureau of Child Development, to function as the State Advisory Council on Early Care and Education. The purpose of this combined state team, hereafter referred to as Early Childhood Utah Advisory Council (ECU Advisory Council), is to promote broad statewide coordination and collaboration among the wide range of early childhood programs and services in the state, in order to ensure that Utah children enter school healthy and ready to learn.

The ECU Advisory Council shall serve as an entity dedicated to improving and coordinating the quality of programs and services for children in accordance with the Improving Head Start for School Readiness Act of 2007, 42 U.S.C. Sec. 9837b. The council will abide by all open and public meeting requirements established by the State of Utah. The council shall advise The Governor's Early Childhood Commission (Commission) on or before August 1st, annually and provide to the commission the following:

- A. A statewide assessment concerning the availability of high-quality pre-kindergarten services for children from low-income households.
- B. A statewide strategic report addressing the activities mandated by the Improving Head Start for School Readiness Act of 2007, 42 U.S.C. Sec. 9837b, including:
 1. Identifying opportunities for, and barriers, to collaboration and coordination among federally funded, state funded and community based child health and development, child care, and early childhood education programs and services, including collaboration and coordination among state agencies responsible for administering such programs.
 2. Assessing the capacity and effectiveness of institutions of higher education to support the career of early childhood educators, health care providers and mental health care providers, including the extent to which such institutions have in place articulation agreements, professional development and career advancement plans, and practice or internships for students to spend time in high-quality early childhood programs.
 3. Establishing recommendations for:
 - a. Developing a statewide, unified data collection system.
 - b. Statewide professional development and career advancement plans for early childhood educators and service providers in the state, including an analysis of the capacity and effectiveness of programs at two- and four-year public and private institutions of higher education that support the development of early childhood educators.
 - c. Improvements in the state early learning standards and undertake efforts to align high-quality and comprehensive early learning standards, as appropriate.

- d. Evaluating and increasing the participation of children and families in high quality early childhood programs, including outreach to underrepresented and special populations.
4. On or before August 1, 2020, and at least every five years thereafter, the council shall provide to the commission a statewide needs assessment concerning the quality and availability of early childhood education, health, and development programs and services for all children in early childhood.

ARTICLE III MEMBERSHIP and TERMS

The following voting members are required as per the Improving Head Start for School Readiness Act and the Health Resources and Services Administration Early Childhood Grant.

A. **Required Membership.** Required members shall be appointed by their respective agencies, general vacancies will be recommended by the ECU Executive Council and shall include:

1. Representative of the Governor's Office
2. Title V Leadership
3. Family Engagement Leadership
4. Public and Private Primary Health Care (2)
5. Mental Health Service Providers (2)
6. State Office of Child Care Administrator
7. Utah State Board of Education
8. Local Education Agencies
9. Institutions of Higher Education
10. Local Provider of Early Child Care Administrator
11. Utah Head Start Association, Rep of MS and AIAN
12. State Director of Head Start Collaboration
13. USBE Part B
14. DHHS Part C
15. DHHS - Mental Health
16. DHHS - Health
17. MIECHV Home Visiting Program
18. Data Systems
19. WIC
20. Oral Health
21. DCFS
22. Parent
23. McKinney-Vento Homeless Assistance Act
24. Specialized Services Providers and Related Organization
25. Subcommittee chair or chair elect positions (5)

B. **Non-Voting Members.** Representatives from organizations and agencies that are not currently voting members are encouraged to attend the meetings, give input and participate in Subcommittees. All meetings are open to the public.

- C. **Vacancies.** Agency creating the vacancy will name a new member representative of the position being vacated to fill the vacancy; excluding general vacancies that will be determined by the Executive Committee.
- D. **Non-Agency Member Terms.** The term of the non-agency members shall be three years; the term may be renewable for one additional term for a total of six years.
- E. **Participation.** Active participation by all members is essential to address the purpose of the ECU Advisory Council. The following establishes the participation requirements for all voting members of ECU Advisory Council:
 - 1. Any voting member missing two consecutive ECU Advisory Council Meetings may be asked to terminate membership so that another representative may be invited to participate.
 - 2. ECU Advisory Council members are expected to attend all Advisory Council meetings. If an Advisory Council member misses three or more consecutive scheduled Advisory Council meetings in a year, the chair and chair-elect may vote to remove the individual from the Subcommittee.
 - 3. Executive Committee members are required to attend all Executive Committee meetings, if a Subcommittee chair or chair-elect misses three or more consecutive scheduled Executive Committee meetings in a year, the individual may be removed from their position with a majority vote from the Executive Committee members.

ARTICLE IV LEADERSHIP, STAFF and SUBCOMMITTEES

A. Leadership.

- 1. **ECU Advisory Council Chairs.** Two voting members of the ECU Advisory Council shall serve as chair and chair-elect. Chair positions are held by the senior serving elected position and chair-elect is the junior elected position. One chair/chair-elect shall rotate from one of the three participating State Agencies on the Early Childhood Commission. The other chair or chair-elect shall be elected from the voting members of the body at large and cannot be from one of the three agencies cited above. The chair and chair-elect shall conduct the full meetings of the ECU Advisory Council and lead the ECU Executive Committee. Both shall serve for a period of two years and rotate off in different years to ensure continuity.
 - a. Voting for the chair-elect position will be held annually in October to allow for cross-training and transition planning between the incoming and outgoing chair and chair-elect. The chair-elect term begins in January of the following year.
 - b. In the case of the resignation of a chair/chair-elect prior to completing their term, a temporary chair/chair-elect will be elected by the Executive Committee from the state agency that the vacating chair/chair-elect represents or a non-state agency that the chair/chair-elect represents from the voting member body at large to fulfill the prior chair/chair-elect's term. When the term for temporary replacement chair or chair-elect has expired, the procedure for voting in a new chair/chair-elect will follow the process outlined in A.

- c. ECU Advisory Chair and chair-elect can participate in Subcommittee meetings but shall not hold a chair or chair-elect position in a Subcommittee while holding an ECU Advisory Council chair or chair-elect position.
 - d. The chair and chair-elect are responsible for the required annual report, including making assignments and ensuring Subcommittee work is aligned with governing documents
2. **Executive Committee.** The Executive Committee is composed of ECU Advisory Council chair/chair-elects, ECU Advisory Council Subcommittee chairs and chair-elects, and ECU program staff (as defined in HB0047 as The Early Childhood Utah Program Manager in the Utah Department of Health and Human Services shall serve as staff to the Early Childhood Utah Advisory Council.)
- The purpose of the Executive Committee is as follows:
- a. The Executive Committee is responsible for the coordination between Subcommittee projects and proposals, designation of assignments from the Commission, and the administrative needs of the ECU Advisory Council at large.
 - i. Subcommittee chairs and chair-elects will attend and share the perspectives and recommendations of the Subcommittee members, which include ECU Advisory Council voting members and members from the larger early childhood system and community.
 - b. The Executive Committee will provide guidance to the Subcommittees to ensure continuity, coordination, alignment, and that projects are thoroughly vetted.
 - c. The Subcommittee submits the Work Flow Recommendation Process document to the Executive Committee for review and approval prior to any final projects and recommendations that are ready to be presented to the ECU Advisory Council and the Early Childhood Governor's Commission. Voting on projects and recommendations by the Executive Committee will be recorded. A quorum with a majority vote will pass the project and recommendations onto the Early Childhood Utah Advisory Council for vote and if approved by simple majority vote from the Early Childhood Utah Advisory Council, the project or recommendation will be forwarded to The Governor's Early Childhood Commission. All dissenting Executive Committee votes will be reported and included when projects and recommendations are sent to the Early Childhood Utah Advisory Council and the Governor's Early Childhood Commission.
 - d. The Executive Committee will review and distribute the Early Childhood Utah Agency Update Document for Agency Commission Members document to inform state agency leadership of the project and recommendations moving to the Commission.
 - e. The Executive Committee will meet at minimum once a month to coordinate Subcommittee work and address any administrative needs of the Early Childhood Utah Advisory Council. Additional Executive Committee meetings can be held as needed. Attendance at the Executive Committee meetings are mandatory for those listed above in A.2. If an absence is required it is expected that the Subcommittee chair or chair-elect will be in attendance or an individual will be sent as a representative. If an individual is sent as a representative, email notification to the ECU Advisory chair and chair-elect and ECU staff is needed. If a Subcommittee chair or chair-elect misses three or more consecutive scheduled Executive Committee meetings in a year, the individual may be removed from their position with a majority vote from the Executive Committee.
 - f. When voting measures are to be taken in the Executive Committee meetings, a quorum of all chairs and chair-elects must be present. ECU staff will abstain from voting.

g. A Representative from the Governor's Early Childhood Commission upon request or as desired can attend any ECU Executive committee meeting.

B. **Staff.** The Early Childhood Utah Program Manager in the Utah Department of Health and Human Services shall serve as staff to the Early Childhood Utah Advisory Council.

C. **Subcommittees.**

1. **Expectations and Procedures.**

a. Each voting member of the ECU Advisory Council shall serve on at least one Subcommittee, based on the committee member's area of expertise. Each Subcommittee should include additional non-ECU Advisory Council voting members to their Subcommittee based on area of expertise and project need.

b. Each Subcommittee shall have one chair and one chair-elect.

i. It is expected that the chair and chair-elect will both serve for a term of not more than two years and rotate off in different years to ensure continuity. The first year of the two year term will be served as the chair-elect, with the second year being the chair.

ii. The chair-elect shall be elected by a simple majority vote of the Subcommittee members who have attended at minimum the previous 3 Subcommittee meetings prior to when the voting occurs.

a. A chair-elect can only be voted in as long as they have participated in 75% of Subcommittee meetings for a minimum of one year.

i. If a Subcommittee meets monthly, it would be expected the chair-elect attended at least nine of the twelve Subcommittee meetings.

ii. A chair-elect can be a non-voting member of the ECU Advisory Council as long as they meet the requirements stated in C.1.ii.1

b. If the voted-in Subcommittee chair or chair-elect is not a voting member of the ECU Advisory Council, then the chair or chair-elect will hold a temporary voting position in the ECU Advisory Council voting membership under the "additional members" slot as long as they hold a Subcommittee chair or chair-elect position. Once they have completed their term, the chair or chair-elect will no longer be listed as a voting member of the ECU Advisory Council.

c. In the event of over-representation from a single entity or agency in a Subcommittee or in the Executive Committee that could produce a conflict of interest, the ECU Advisory chair and chair-elect and ECU Staff will evaluate the attendance and participation and will determine the needed resolution to ensure balanced representation

iii. Voting for the chair-elect position will be held annually in October to allow for cross-training and transition planning between the incoming and outgoing chair and chair-elect. The chair-elect will begin their term starting in January of the following year.

iv. The Chair and chair-elect can participate on other Subcommittees but will have to abstain from any voting that may occur.

- v. A chair or chair-elect can only hold one chair or chair-elect position at a time.
 - vi. Upon completion of a two-year term an outgoing chair may remain on any Subcommittee of their choice but is not eligible for a chair-elect position for at least two years. In the case that there are not any subcommittee members who are able to serve, the ECU Advisory chair and chair-elect and ECU Staff will evaluate and determine the needed resolution.
 - vii. In the case of the resignation of a chair or chair-elect prior to completing their term, a new chair-elect will be elected by a simple majority vote of the Subcommittee members who have attended at minimum the previous three Subcommittee meetings prior to when the voting occurs. The new chair-elect will serve the remainder of the term of the person they are replacing.
- c. Each Subcommittee will submit the Subcommittee meeting notes to the Executive Committee and ECU Staff in writing at least one week prior to the Executive Committee meeting.
 - i. Voting on projects and recommendations will be recorded in the Subcommittee meeting notes. A majority vote is required for any motion to pass during a Subcommittee meeting. All dissenting votes will be reported and included in the Subcommittee meeting notes. If a motion fails to pass, it will also be reported with the reasoning to support the failure of the motion.
 - d. Each Subcommittee chair and chair-elect will submit the Subcommittee ECU Advisory Report two weeks prior to the quarterly ECU Advisory Meeting as to comply with the Utah Open and Public Meetings Act (Utah Code, Title 52 Chapter 4).
 - e. Each Subcommittee will submit the Workflow Recommendation Process document to the Executive Committee for review prior to the Executive Committee voting on moving a project or recommendation forward to the ECU Advisory Council and the Early Childhood Governor's Commission.
 - i. When a Subcommittee's project or recommendation has been approved to be presented to the Early Childhood Governor's Commission, the Subcommittee will submit the Agency update for Agency Commission Members document to the designated state agency representatives.

2. **The ECU Advisory Council shall include the following Subcommittees. The Subcommittee chair and chair elect will work on the following goals as well as ensure Subcommittee work and assignments align with the governing documents.**

3.

- a. **Promoting Health and Access to Medical Homes.** The focus of this Subcommittee shall be ensuring access to health and dental health care services and support for medical homes for all young children in the state.
- b. **Early Care and Education.** The focus of this Subcommittee shall be ensuring access to quality programs and services that support the early learning and development of all young children in the state. This includes both in-home and out-of-home services.
- c. **Social/Emotional and Mental Health.** The focus of this Subcommittee shall be ensuring access to services to promote healthy social-emotional development in

all young children in the state, and services to address the needs of children who have or are at risk for developing mental health concerns or challenging behaviors.

- d. **Parent Engagement, Support and Education.** The focus of this Subcommittee shall be ensuring access to family-centered, culturally appropriate parenting education and family support services for all parents of young children in the state, to promote the ability of parents and families to nurture and support the healthy development of their children.
- e. **Data and Research.** The focus of this Subcommittee shall be on evaluating the data needs of children birth through five and their families; assists in obtaining relevant data and research to support members of ECU; and contribute to the needs assessment and annual report to support the Executive Committee in the development of evidence-based strategies that address the needs of Utah's early childhood population; and identifies data gaps regionally, racially and economically in Utah's early childhood system.
- f. **Ad Hoc Committees.** Time limited ad hoc Subcommittee may be formed to work on specific projects requiring expertise or representation beyond the voting membership of ECU Advisory Council.

ARTICLE V Meeting Procedures

A. Meeting Frequency.

1. The ECU Advisory Council shall meet at least four times each year, or more frequently as determined by the ECU Advisory Council Executive Committee. Notice of the year's meeting schedule shall be provided to all voting members at the first meeting of each calendar year.
2. The ECU Advisory Council Executive Committee shall meet at minimum once a month to coordinate Subcommittee work and address any administrative needs of the Early Childhood Utah Advisory Council. Additional Executive Committee meetings can be held as needed.
3. The ECU Advisory Council Subcommittees shall meet at least four times each year. Each Subcommittee chair will call and coordinate Subcommittee meetings as needed to facilitate individual committee work.

B. Electronic Attendance. All meetings will have an electronic meeting option.

C. Public Meetings. All meetings of the Early Childhood Utah Advisory Council shall be conducted in accordance with the Utah Open and Public Meetings Act (Utah Code, Title 52 Chapter 4).

D. Voting. A simple majority of the voting members of the Early Childhood Utah Advisory Council participating at a meeting will conduct the transaction of business. Decisions, changes, or actions to the strategic plan, scope of work, or bylaws of the Early Childhood Utah Advisory Council require a simple majority vote of the members participating at the meeting during which the voting occurs. Email and telephone votes may be taken between meetings in accordance with the electronic meetings act.

E. Proxy. In the event that an Early Childhood Utah Advisory Council member cannot attend the ECU Advisory Council meeting, ECU Advisory Council Subcommittee Meeting and the ECU Advisory Council Executive Committee meeting, that individual may designate a proxy to attend the meeting. The proxy will be granted all rights and privileges inherent to the position, including voting privileges, for that meeting.

F. Record Keeping. Staff - The Early Childhood Utah Program Manager shall produce minutes of each full meeting within 30 days. Reports, records, and meeting minutes shall be open to the

public and shall be available within 3 days after approval of the reports, records and meeting minutes at the next ECU Advisory Council Meeting.

ARTICLE VI CONFLICT OF INTEREST

- A. The following outlines the requirements regarding ECU Advisory Council Conflict of Interest Policy:
1. Each voting member of the ECU Advisory Council shall be responsible for declaring a conflict of interest when one exists. A conflict of interest may include any matter that may provide direct personal financial benefit for that member.
 2. When a conflict of interest exists, the conflicted member will refrain from the voting process.
 3. Where a conflict of interest is known to exist but is not declared by an individual, one or more members of the ECU Advisory Council may ask the individual to refrain from voting on the issue in question.
 4. In the event of a disagreement over whether a conflict of interest exists, the matter shall be decided by a simple majority vote of the members participating at the meeting.
 5. In the event of over-representation from a single entity or agency in a Subcommittee or in the Executive Committee that could produce a conflict of interest, the ECU Advisory chair and chair-elect and the ECU Staff will evaluate the attendance and participation and will determine the needed resolution to ensure balanced representation.

ARTICLE VII AMENDMENTS TO THE BYLAWS

- A. The following establishes the process for amendments to these bylaws: 1. Proposed amendments shall be distributed to all voting members of Early Childhood Utah in writing at least one week prior to the next regularly scheduled meeting.
- B. These bylaws may be amended or repealed by a simple majority of the voting members participating at regularly scheduled meetings.

These bylaws were approved and adopted at a regularly scheduled meeting of Early Childhood Utah on July 16, 2012. Amended April 18, 2016. Amended April 27, 2017. Amended July 18, 2019. Amended Executive Committee June 10, 2022, Approved by ECU Advisory Council June 23rd, 2022.